

EXHIBIT K



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January 19, 2023

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Via Email

Thomas Burnett and Noah Solowiejczyk
U.S. Attorney's Office
1 Saint Andrews Plaza
New York, New York 10007

Re: United States v. Avraham Eisenberg
23 Cr. 10

Dear Counsel:

We write on behalf of our client Avraham Eisenberg in connection with the above-captioned case to discuss a few matters.

First, when Mr. Eisenberg was arrested at the airport in December 2022, the government seized various items including luggage (with clothes, toiletries, etc.) and digital devices (which, we understand, included three smartphones). Based on our correspondence, we understand the FBI is willing to return the luggage, and we are working on making arrangements to collect it. If the government is not going to return any of the other seized items, please let us know as soon as possible. We would like everything promptly returned.

Second, we appreciate the government endeavoring to ascertain all attorneys with whom Mr. Eisenberg may have had attorney-client communications in the past two years. To the extent there are any attorney-client privileged communications and materials contained on or among any items seized from Mr. Eisenberg or otherwise (*e.g.*, received through the execution of a search warrant), Mr. Eisenberg does not waive the attorney-client or any other privilege or right. Below is a preliminary list of attorneys we understand Mr. Eisenberg had contact with in the past two years:

- Mark Berkowitz
- Christian Cowart
- James Creedon
- Melissa DeCandia
- Randolph Gaw
- Shmuel "Sam" Goldfaden
- Samuel Johnson
- Richard Lomuscio
- Victor Meng



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- Mark Poe
- Cortland Putbrese
- Mark Schlachet
- Charles Wallace

This list is subject to supplementation. As you know, it remains difficult to communicate with Mr. Eisenberg while he is detained in Puerto Rico, and he does not have access to any of his files and records while he is detained. Mr. Eisenberg therefore reserves the right to supplement this list. Additionally, this letter serves to place the government on notice that Mr. Eisenberg engaged the services of a number of attorneys and that a “taint” team needs to be used to review communications and materials tied to this case.

Lastly, it bears noting that Mr. Eisenberg, of course, does not consent to the search of any of the items seized upon his arrest (*e.g.*, the digital devices) or any other seized items (*e.g.*, communications and materials obtained through search warrants). Further, he reserves all his rights to challenge the use of any information derived from them, as well as the government’s possession/seizure of them, including pursuant to Federal Rule of Criminal Procedure 41.

We are available to discuss all of this further with you at your convenience. Thank you for your continued courtesy in connection with this matter.

Best regards,

Brian E. Klein
Melissa A. Meister
Waymaker LLP

-and-

Sanford N. Talkin
Talkin, Muccigrosso & Roberts, LLP

Attorneys for Avraham Eisenberg